

THE DEPARTMENT of COMMUNITY DEVELOPMENT
City Hall, Lynchburg, VA 24504 434.455.3900

To: Planning Commission
From: Planning Division
Date: August 9, 2006
RE: PUBLIC STREET DEDICATION AND NAMING REQUESTS--“BADCOCK PLACE” IN THE GEORGE C. WALKER, JR., AND WILLIAM WALKER SUBDIVISION, OFF ATLANTA AVENUE

I. APPLICANT

Property Owners: George C. Walker, Jr., and William Walker, 3211 Old Forest Road, Lynchburg, VA 24501-2325

Representative: Thomas C. Brooks, Sr., Acres of Virginia, Inc., 404 Clay Street, Lynchburg, VA 24504

II. LOCATION

The subject property is a tract of land containing 1.669 acres located on the north side of Atlanta Avenue about 310 feet west of Wards Road.

III. PURPOSE

The purpose of the request is to dedicate 0.158 acre for right-of-way for the proposed public street to be named “Badcock Place” located on the north side of Atlanta Avenue.

IV. SUMMARY

- Request agrees with the Subdivision Ordinance requirements for dedicating public rights-of-way in an existing B-5 “Conditional,” General Business District.
- Request agrees with the Zoning Ordinance requirements for rights-of-way dedications.
- Request complies with City Code Section 35.105 requirements that “...all streets dedicated or private...may be assigned a name provided that a name assignment has been requested by the property owner on said street, and provided further that the Planning Commission deems the petitioned street of sufficient significance to warrant naming.”
- Request complies with City Code Section 35.111 requirement that states the “proposed street name will be reviewed by the Technical Review Committee, Planning Commission and City Council, with the final decision resting with Council.”

The Planning Division recommends approval of the public street dedication and naming requests.

V. FINDINGS OF FACT

1. **Background.** Thomas C. Brooks, Sr., Acres, Inc. is requesting to dedicate 0.158 acre for right-of-way for the proposed public street to be named “Badcock Place” located on the north side of Atlanta Avenue. “Badcock Place,” with a variable width right-of-way, would extend from Atlanta Avenue in a northeasterly direction for approximately 160 feet to terminate at property owned by Wal-Mart Stores, Inc.
2. **Zoning.** The subject property is zoned B-5, “Conditional,” General Business District.

3. **Waivers.** No waivers from the Subdivision Ordinance will be needed for the street dedication and naming requests.
4. **Proposed Use of Property.** The new street will serve as a connection from Atlanta Avenue to the Sam's Club/Wal-Mart commercial complex and other businesses to provide for better traffic circulation and internal vehicular circulation within these businesses.
5. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed a preliminary plat for the proposed "Plat Showing Parcels 'A' and 'B' Property of George C. Walker and William Walker" on July 18, 2006. The TRC had the following comments of significance to the consideration of the street dedication and naming:
 - "Road plans must be submitted separately to the Engineering Division for review and approval. Include any city utility changes on the road plans."
 - "Regarding the existing underground detention structure:
 - Whose detention structure is it?
 - Who is going to maintain it?
 - An easement will be needed for it."

TRC Members Gerry Harter and Michael Thomas, the Emergency Communications Administrator and the Lynchburg Post Office Customer Services Manager reviewed the proposed public street dedication and naming requests on July 25, 2006 and July 27, 2006. They expressed no concerns with the proposed street name "Badcock Place" and no conflict with any existing street names.

VI. PLANNING DIVISION RECOMMENDED MOTION

Based on the proceeding findings of fact, the Planning Commission recommends to City Council approval of the dedication of the public street to be named "Badcock Place" to be constructed in substantial compliance with the "Plat Showing Parcels "A" and "B" Property of George C. Walker, Jr., and William Walker," by Acres of Virginia, Inc., dated June 29, 2006. The dedication of "Badcock Place" and its acceptance as a public street is contingent on George C. Walker, Jr., and William Walker filing a properly executed subdivision plat to be recorded among the land records in the Office of the Clerk of the Circuit Court; the filing of approved street and utility plans and the necessary construction bonds with the City; and the construction of the street in accordance with City standards. The failure to fully comply with these conditions shall render the City's acceptance of "Badcock Place" as a public street null and void.

This matter is hereby offered for your consideration.

William T. Martin, AICP
City Planner

pc: Mr. L. Kimball Payne, III, City Manager
Mr. Walter C. Erwin, City Attorney
Mr. R. Douglas Dejarnette, Fire Marshal

Mr. J. Lee Newland, Director of Engineering
Lt. Danny R. Marks, Lynchburg Police Department Field Operations Bureau
Capt. Todd Swisher, Lynchburg Police Department North Division
Capt. H. W. Duff, Jr. Lynchburg Police Department East Division
Capt. Al Thomas, Lynchburg Police Department South Division
Mr. Gerry L. Harter, Traffic Engineer
Mr. Robert Drane, Building Commissioner
Mr. Keith Wright, Zoning Official
Mr. Robert S. Fowler, Zoning Official
Ms. Annette M. Chenault, Planner II
Ms. Nicole Gilkeson, Community Development Planner
Mr. Thomas C. Brooks, Sr., Representative

VII. ATTACHMENTS

1. Plat Showing Parcels 'A' and 'B' Property of George C. Walker, Jr., and William Walker by Acres of Virginia, Inc., dated June 29, 2006